From: Dino Chiesa
To: Microsoft ATR
Date: 12/10/01 1:54pm

Subject: Microsoft Tunney Act Feedback

This case was a witch-hunt, and an example of activist government overstepping their responsibility and mandate. It should never have been pursued. The settlement snatches victory for the American people from the jaws of a seemingly certain defeat, created by Janet Reno and her incompetent administration.

In more detail,

- 1. I agree with the need for government oversight of monopoly, but this case stretched the law much too far. The US Government should refrain from engaging in product design, attempting to dictate which function should or should not be included in a particular product, particularly in an industry as young and dynamic as the computer software industry. The tying clause included in the original complaint was out of date almost by the time the first hearings were held. Healthy Competition, with its result being a goodly amount of corporate gore, is the foundation of strength for the American economy. Some companies are winners and some are losers in fair competition in this way, the consumer benefits. By attempting to restrain Microsoft, government intervention in this case actually served to reduce competition rather than promote it.
- 2. In retrospect, this case appears to have lived beyond its deserved life only because politicians and lawyers smelled money. They looked at the Tobacco settlement and decided that they would like a chance to extract a pound of flesh from Microsoft as well. The holdout of a few states continues to reflect this mindset if there is money to be had, let's go after it. The case was NEVER about the public good. The case NEVER demonstrated that consumers were harmed. It was ALWAYS about protecting companies that failed to compete effectively with Microsoft, local constituencies. It was about greed and egos of lawyers.
- 3. If the government was really interested in promoting the consumer good, they would have bestowed a medal of honor upon Microsoft, one of America's most admired companies and best employers, and builder of the World's Best Software, by any reasonable metric. Microsoft succeeded to the extent it did, worldwide, because the company designs good products that people want to use, and distributes them in an efficient and effective manner. That the US Government, in times like these, would want to persecute such an American success story is beyond the pale. Absolutely shameful! Janet Reno should receive a dishonorable discharge, retroactively.

Hail to George Bush and his Justice Department for putting and end to

the foolishness and settling the case.

Long live representative democracy, capitalism, and the American way!

The opinions expressed in this email are my own, and not the opinions or position of my employer.

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